IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

MONDAY, THE 2ND APRIL 2007 / 12TH CHAITHRA 1929

WP(C).No. 749 of 2005(L)

PETITIONERS:

1. B.SANKARAN, ATTENDER/NUSING ASSISTANT GOVERNMENT HOSPITAL, KOTTUR, NEDUMANGAD.

2. N.SHELA KUMARI, ATTENDANT/NURING ASSISTANT, GOVERNMENT AYURVEDA HOSPITAL, NEDUMANGAD.

3. SREKALA.N. ATTENDANT/NURSING, GOVERNMENT AYURVEDA DISPENSARY, POOVACHAL.

4. SATHIKUMARI.S. ATTENDANT, GOVERNMENT AYURVEDA DISPENSARY, CHANGANACHERRY.

5. SHAJI.B. ATTENDER, GOVERNMENT AYUVEDA DISPENSARY, PALLICKAL.

BY ADV. SRI.P.B.SAHASRANAMAN
SRI.K.JAGADEESH
SRI.T.S.HARIKUMAR

RESPONDENTS:

1. THE DISTRICT MEDICAL OFFICER (ISM), O/O.THE D.M.O. AROGYA BHAVAN, PUTHENCHANDA, THIRUVANANTHAPURAM.

2. T.JAYA, NEDUMPARA, CHERUVILA PUTHEN VEEDU, OOTTUKUZHY, VILAPPILSALA P.O, THIRUVANANTHAPURAM.

3. C.MADHU, BIJU VILASAM, ILLIMUKKU, BHARATHANNUR P.O. THIRUVANANTHAPURAM.

4. T.SURENDRAN, KANDAMANGALAM VEEDU,
CHENGAL P.O. THIRUVANANTHAPURAM.

5. P.LEELA, KOCHIDAVILAKATHU VEEDU,
POTHENCODE P.O. THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.K.R.DEEPA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

Ext.P1: True photocopy of the appointment order issued to the petitioner 1, 1st respondent, dated 13.8.2003.

Ext.P2: True photocopy of the appointment order issued to the petitioners 1 dated 6.8.2004.

Ext.P3: True photostat copy of the letter of requisition spent by the divisional employment officer dated 14.8.2004.

Ext.P4: True photocopy of the amendment made to the Special Rules for the Kerala Indigenous Medicine Subordinate Service (Amendment), Rules, 1983 on 9th Febraury, 1983.

Ext.P5: True photostat copy of the order of the 1st respondent dated 5.1.2005.

// True copy //

P.A. to Judge

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**KURIAN JOSEPH, J.**

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W.P.(C)NO.749 OF 2005

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Dated this the 2nd day of April 2007

**JUDGMENT**

Grievance is on Ext.P5 order whereby the first respondent terminated the service of the petitioners and appointed others as attenders. According to the petitioners, those persons appointed as per the impugned order are not qualified. There is also a further contention that the petitioners are qualified and experienced. Learned Government Pleader submits that the petitioners can be considered for appointment only if their names are forwarded by the employment exchange.

Therefore, this writ petition is disposed of making it clear that the first respondent will see that only qualified persons are appointed by him. In case petitioners are also included in the list of candidates, they will also be considered.

**KURIAN JOSEPH, JUDGE**

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